

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD HARRIS

vs.

OFFICER WILLIAM CAREY ET AL.,

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No. 14-3136

**ORDER**

AND NOW, this 16th day of October 2014, **IT IS HEREBY ORDERED** that, upon careful consideration of the defendants' motion to dismiss (Doc. No. 12), the plaintiff's response thereto, and the defendants' reply, the defendants' motion is **GRANTED IN PART** as follows:

1. The Chester Police Department and City of Chester are dismissed as parties to this action;
2. Plaintiff's deliberate indifference claim is dismissed with prejudice; and
3. Defendants' motion is denied as to the excessive force claim against Carey.

s/William H. Yohn Jr.  
William H. Yohn Jr., Judge